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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/713,454

11/15/2000

Erling R. Anderson

SP00-037

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7590

09/15/2004

Corning Incorporated

SP TI 03 1

Corning, NY 14831

EXAMINER

NGUYEN, TU T

ART UNIT

PAPER NUMBER

2877

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/713,454

Applicant(s)

ANDERSON ET AL.

Examiner

Tu T. Nguyen

Art Unit

2877

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 01 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-14, 24-27 and 48-52.Claim(s) withdrawn from consideration: 28-47.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


Tu T. Nguyen
Primary Examiner
Art Unit: 2877
9/11/04

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's argument filed on 09/01/2004 have been fully considered but they are not persuasive.

With respect to Applicant's argument on page 12 about inspecting "bare optical fiber", the claimed limitation is not in the claim. Applicant claims testing the fiber which is stored on a storage pool. Bloom discloses a testing system for testing fiber in a storage pool 12a (fig 2).

With respect to Applicant's argument about the conveyor, Fukuoka discloses a carrying unit to carry optical holders to different testing units (column 2, lines 43-65). Fukuoka's carrying unit performs the same function as the claimed conveyer by the Applicant. Further, the claimed conveyor to carry a test object to a test station would have been known in the art. It would have been obvious to modify Bloom with the known conveyor to carry the optical pool to different test units without human aid to save the testing cost. Fukuoka does not disclose using the carrying unit to carry a storage spool. However, Fukuoka's carrying unit is capable of carrying different types of test object such as a storage spool. It would have been obvious to modify Fukuoka's carrying unit to carry the storage pool to the test unit as disclosed in Bloom to automate the testing. The modification involves only routine skill in the art.

With respect to Applicant's argument on page 13 "conveyor is used for transporting the spool from different inspection sites located at different locations throughout a manufacturing plant", Applicant does not claim the argue's limitation.